

**Operating Procedure for Suffolk Division of the Probate and Family Court
Under Standing Order 1 – 21, effective July 12, 2021**

A. General information:

Effective July 12, 2021, the Probate and Family Court will be open to conduct all emergency and non-emergency court business in person, except for the matters identified in Paragraph C below and any matter that a judge determines shall be held virtually.

The ability to conduct in-person hearings depends upon successful compliance with all safety protocols established by the Trial Court, including, but not limited to, Trial Court occupancy limits.

Parties may file pleadings by US mail, in person, or by e-filing where available. Email filings will be accepted when done so by a Court Service Center staff member or by an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant or if specifically authorized by the Supreme Judicial Court or the Executive Office of the Trial Court. Other email filings may be allowed at the discretion of each Register of Probate. Drop boxes may be available to file pleadings in some court locations.

No email filings except as noted above.

A Drop Box will remain in use and the drop box is located just inside the front door of the Brooke Courthouse and will be picked up twice a day at 11 AM and 2 PM. Anyone can use the box, but the drop box shall not be used for emergency matters nor requests for speedy hearings which must be filed in the Registry. Andrew Aresco of the Suffolk Probate and Family Court may be reached by email at andrew.aresco@jud.state.ma.us to answer questions about the drop box. He can also be reached by telephone at 617-788-8300.
--

Electronic signatures will continue to be used, consistent with the current order of the Supreme Judicial Court, unless and until otherwise amended by subsequent orders or rules.

Virtual registries may continue to be used. Virtual registries offer all of the assistance normally available during an in-person visit, including face-to-face contact, the ability to obtain and get assistance with court forms, and access to court documents and docket information. [Information about virtual registries can be found here.](#)

The virtual registry will be open from 8:30AM-3 PM on Mondays, Wednesdays and Fridays. If the Court is closed for a holiday, the virtual registry is also closed. First Assistant Register, Toiya Taylor is available to answer questions concerning the virtual registry of the Suffolk Probate and Family Court. She may be reached by email at toiya.taylor@jud.state.ma.us She can also be reached by telephone at 617-788-8300. The link to the virtual registry is: https://www.zoomgov.com/my/suffolkpf .

B. In-Person Proceedings:

As of July 12, 2021, the Probate and Family Court will expand the scheduling of in-person hearings for all matters, except for the matters identified in Paragraph C below and any matter that a judge determines shall be held virtually. In-person hearings will be scheduled for the next available date and will be conducted on a staggered schedule.

Staggered scheduling for Suffolk Probate and Family Court will be updated as available.

Judicial Case Manager, Patrick Yoyo is available to answer questions concerning the scheduling of matters in the Suffolk Probate and Family Court. He may be reached by email at patrick.yoyo@jud.state.ma.us. He can also be reached by telephone at 617-788-8300.

If notice has already gone out and a matter is scheduled for a virtual hearing on or after July 12, 2021, the matter will still be held virtually unless the assigned judge determines the matter should be heard in person and the parties are notified of such change.

Where an in-person hearing is scheduled, a party may request that the hearing be conducted virtually, and the judge will rule on the request.

A request that a scheduled in-person hearing be heard virtually instead shall be filed in the Registry and a copy of that request shall be emailed to the assigned session clerk for the assigned judge. The email address of the session clerk assigned to each judge appears at the end of this Operating Procedure notice.

Alternatively, a judge, upon request, may authorize a participant (an attorney, party, or witness) to appear virtually while other participants appear in person, so long as it is consistent with due process and fundamental fairness. A participant who requests to appear virtually for an otherwise in-person proceeding shall have no grounds to object to other participants appearing in person.

A request to appear virtually for a scheduled in-person hearing shall be filed in the Registry and a copy of that request shall be emailed to the assigned session clerk for the assigned judge. The email address of the session clerk assigned to each judge appears at the end of this Operating Procedure notice.

C. Virtual Proceedings:

The following matters shall be held virtually and on a staggered schedule:

1. Uncontested adoptions, unless the assigned judge determines that the matter should be heard in person;
2. Uncontested divorces;
3. Rogers reviews;
4. Best efforts § 29B annual reviews – DCF custody;
5. Any action involving child support only, except for contempt actions;

6. Case Management/Status conferences; and
7. Discovery motions.

Changes to staggered scheduling of virtual matters in Suffolk Probate and Family Court will be updated as available.

Judicial Case Manager, Patrick Yoyo is available to answer questions concerning the scheduling of matters in the Suffolk Probate and Family Court. He may be reached by email at patrick.yoyo@jud.state.ma.us. He can also be reached by telephone at 617-788-8300

The Guardianship Block day will be held virtually each Wednesday until September 29, 2021, to allow for previously scheduled matters to proceed as scheduled. All Guardianship Block hearings, with the exception of Rogers reviews, as noted above, will be scheduled to be in-person after that date in accordance with the standing order.

Matters that are generally handled administratively (e.g., marriage without delay; joint modification); uncontested/assented to motions (e.g., appointment of GAL; continue date of hearing; file marriage certificate late); and uncontested/routine allowables in probate actions (e.g., informal petition; transfer of guardianship or conservatorship from another state; accounts; appointment of GAL; license to sell; alternative service; waiver of sureties; motion to file death certificate late) will continue to be handled administratively. If such a matter is not handled administratively, a virtual hearing will be scheduled.

In the absence of exceptional circumstances, as determined by the judge conducting the hearing, no party or attorney for a party may be physically present in the courtroom for a scheduled virtual hearing.

However, in cases with one or more self-represented litigants, judges shall consider the possibility that self-represented litigants may have limited access to the technology needed or limited experience with such technology and either assist the self-represented litigant or offer the option to appear in person.

A judge may also consider matters through an administrative review process and determine motions in accordance with Rule 78.

In addition to the above, Complaints for Dependency shall also be heard administratively. Judicial Case Manager, Patrick Yoyo is available to answer questions concerning the administrative review of matters in the Suffolk Probate and Family Court. He may be reached by email at patrick.yoyo@jud.state.ma.us. He can also be reached by telephone at 617-788-8300

D. Protocol in the event of a court closure by the Trial Court:

If the Brooke Courthouse is closed, you may call the Trial Court Help Line at 1-833-91COURT for assistance. Matters scheduled for virtual hearings will move forward and in-

person hearings will be rescheduled except 209A orders which will be held in person on the day the courthouse reopens.

E. Contact Information:

Emergency phone number	857 972 3058 or 857 972 3599 or 857 330 1938 or 857 330 1261	
Emergency email address	Suffolkquestions@jud.state.ma.us	
Registry phone number	617-788-8300	
Probation contact	Chief Edwin Welch	edwin.welch@jud.state.ma.us 617-788-8383
Judicial Case Manager	Patrick Yoyo	Patrick.yoyo @jud.state.ma.us 617-788-8398
Assistant Judicial Case Manager	Kathy Kavey	Kathy.kavey @jud.state.ma.us 617 788 8300 FJ Dunn
Assistant Judicial Case Manager	Sharon Blocker	Sharon.blocker@jud.state.ma.us 617 788 8385 J. Christopher J. Ward
Assistant Judicial Case Manager	Johnjoe Hallissey	johnjoe.hallissey@jud.state.ma.us 617 788 8346 J. Giordano
Assistant Judicial Case Manager	Maria Rizzo-LaFace	Maria.rizzo-laface@jud.state.ma.us 617 788 8364 J. Rivers
Sessions Clerk	Weber Lyncee	Weber.lyncee@jud.state.ma.us (J.Rivers)
Sessions Clerk	Amanda Bourgeois	Amanda.bourgeois@jud.state.ma.us (J. Ward)
Sessions Clerk	Kristen Antolini	Kristen.antolini@jud.state.ma.us (J. Christopher)
Sessions Clerk	Erica Lewis-Bowen	Erica.lewisbowen@jud.state.ma.us - (FJ Dunn)
Sessions Clerk	Althea Lewis	Althea.lewis@jud.state.ma.us (J. Giordano)
Judicial Assistant	Donna Anderson	Donna.anderson@jud.state.ma.us 617 788 8342
Judicial Assistant	Lisa Campbell	lisa.campbell@jud.state.ma.us 617 788 8342

F. Additional Information:

The Wednesday Guardianship Block day, with the exception of Rogers reviews, as noted above, will return to all in-person hearings on October 6, 2021.